

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|---------------------------|---|---|
| UNITED STATES OF AMERICA, |) | Case No.: 1:11 CR 498-01 |
| |) | |
| Plaintiff |) | JUDGE SOLOMON OLIVER, JR. |
| |) | |
| v. |) | |
| |) | |
| ARTIE DEAL, |) | <u>ORDER ACCEPTING PLEA</u> |
| |) | <u>AGREEMENT, JUDGMENT AND</u> |
| |) | <u>REFERRAL TO U. S. PROBATION</u> |
| Defendant |) | <u>OFFICE</u> |

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Kenneth S. McHargh regarding the change of plea hearing of Artie Deal, which was referred to the Magistrate Judge with the consent of the parties.

On October 27, 2011, the Government filed a one-count Indictment, charging Defendant, Artie Deal, with Felon in Possession in violation of Title 18 United States Code, Section 922. Defendant Deal was arraigned on November 2, 2011, and entered a plea of not guilty to Count 1, before Magistrate Judge Kenneth S. McHargh. On December 28, 2011, Magistrate Judge Kenneth S. McHargh received Defendant Deal's plea of guilty to Count 1 of the Indictment and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R.

On *de novo* review of the record, the Magistrate Judge's R&R is hereby adopted. Defendant Artie Deal is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is hereby approved.

Therefore, Defendant Deal is adjudged guilty to Count 1 of the Indictment, in violation of Title 18 United States Code, Section 922. This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation report. Sentencing will be held on March 14, 2012, at 11:00 a.m. in Courtroom 19-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
CHIEF JUDGE
UNITED STATES DISTRICT COURT

January 23, 2012